

ORDINANCE NO. 2018-07

TOWN OF NASHVILLE INDIANA

**AN ORDINANCE TO AMEND THE TOWN ZONING CODE TO PERMIT HOME
OCCUPATIONS IN BUSINESS DISTRICTS**

Whereas, It has come to the attention of the Town Council that there is an potential conflict in the Zoning Code (Chapter 153) of the Town of Nashville Code of Ordinances in that the requirements for a Special Exception (Section 153.111) ,as written, requires a Special Exception for a "Home Occupation" in Business Districts (B1,B2,B3) where other business uses are permitted without a Special Exception and;

Whereas, a Special Exception is not required for a Home Occupation in Districts designated RB (Restrictive Buffer) which districts are intended to blend residential uses with low impact business uses and,

Whereas the Town council recognizes the conflict and the logical inconsistency of requiring a Special Exception for a low impact use such as a Home Occupation in districts where much higher impact business uses are permitted without the Special Exception procedure and;

Whereas, it is the intent of the Town Council that Home Occupations be permitted in all districts and that the Special Exception procedure only apply to those located in residential districts.

Whereas, the Town Council desires to resolve the apparent inconsistency and the potential conflict and;

Whereas, the Area Plan Commission for Brown County and the Town of Nashville has held public hearing as required by law and recommended the following amendment to the Zoning Code;

It is therefore ORDAINED as follows:

1. "Figure 9" which is incorporated by reference in Section 153.111 of the Zoning Code on the ninth line from the top ("Home Occupations") be amended to read **"All, but a Special Exception is only required in R1 and R2."**
2. All provisions of Chapter 153 that are inconsistent with said amendment and the intent of the Town Council, as set out in the preamble above are hereby REPEALED.
3. All other provisions of Chapter 153 shall remain unchanged.
4. This Ordinance shall become effective upon passage.

IT IS SO ORDAINED THIS 19th DAY OF JULY 2018

ORDINANCE 2018-07

Carl ☒ yea ☐ nay ☐ abstain
Council President Charles B. King

Jane Gore ☒ yea ☐ nay ☐ abstain
Council Vice-President Jane Gore

Alisha Gredy ☒ yea ☐ nay ☐ abstain
Council Member Alisha Gredy

Arthur Omberg ☒ yea ☐ nay ☐ abstain
Council Member Arthur Omberg

Dave Rudd ☒ yea ☐ nay ☐ abstain
Council Member Dave Rudd

ATTEST:

Brenda K. Young
Clerk-Treasurer, Brenda K. Young